



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : **WEBER, Gerhard Peter**
SERIAL NO : 09/490,394
FILED : January 24, 2000
TITLE : HYBRID MAIZE PLANT AND SEED 39W54

Grp./A.U. : 1638
Examiner : **FOX, David T.**
Conf. No. : 7097
Docket No. : P04359US00 - 1248

PRELIMINARY AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the communication from the Examiner dated February 11, 2003, a Final Rejection, and an Advisory Action dated June 6, 2003, it is respectfully requested that the following Preliminary Amendment and Request for Continued Examination (RCE) be entered and made of record. It is believed that the following amendments and remarks place the application in the form for allowance, or at least, place the claims in a better form for Appeal. No new matter is presented, as such the Amendment is proper under 35 C.F.R. § 1.116. Applicant respectfully requests reconsideration.

Introductory Comments

Claims 1-42 are pending in the present application.

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CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, prior to 5:00 p.m. on the 6th day of August, 2003.

Betty J. Albritton
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